

ATTEST:


Executive Director

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COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION
GENERAL COUNSEL

JUN 28 1996

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PUBLIC SERVICE
COMMISSION

In the Matter of:

Charles and Delorise Evans dba Meadowbrook)

vs.)

West Marshall Water District)

No. 96-301

COMPLAINT

The complaint of Charles and Delorise Evans dba Meadowbrook respectfully shows:

(a) Charles and Delorise Evans dba Meadowbrook
2979 Little Bear Hwy.
Gilbertsville, Ky. 42044

(b) West Marshall Water District
c/o Mr. Garry Smith
Bank of Benton
P.O. Box 467
Benton, Ky. 42025

(c) That: West Marshall Water District has not complied with Public Service Commission Administrative Regulation 807 KAR 5:066, Section 11 (3) which states that each year, for a refund period of not less than ten (10) years, the utility shall refund to the applicant who paid for the extension a sum equal to the cost of fifty (50) feet of the extension installed for each new customer connected during the year whose service line is directly connected to the extension installed by the developer, and not to extensions or laterals therefrom. Total amount refunded shall not exceed the amount paid to the utility.

On August 23, 1994 West Marshall water was paid by complainant \$14,281.60 for the extension of their water main to serve twenty (20) lots located in Phase I of Meadowbrook Mobile Home Park. As of this date no refund has been made for the nineteen (19) customers who have connected to the extension. It is our understanding according to regulations annual refunds are to be made upon the establishment of service to a customer by the utility from the extended main. A customer is defined in regulation 807 KAR 5:066, Section 1 (2).

FORMAL COMPLAINT

Charles and Delorise Evans dba Meadowbrook VS West Marshall Water District

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Wherefore, complainant asks that West Marshall Water District comply with Public Service Commission Regulations and provide an appropriate refund which is due to complainant or a working agreement to pay a specified amount monthly as long as West Marshall Water District agrees to continue to abide by their contract for providing water line extensions for the future phases of Meadowbrook.

Dated at Gilbertsville, Kentucky, this 26th day of June, 1996.

Charles R. Evans

Delorise C. Evans